

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Irrigation & CAD Department – Allegations of corruption against Sri Ch.P.Ratnakara Rao, Superintendent (Retd.), Office of the General Superintendent, P.W.Workshop, Seethanagaram, Guntur District - – Acquittal by the Special Judge for SPE & ACB Cases, Vijayawada on 03-12-2008 – Implementation of the Orders of the Court of Spl. Judge for SPE & ACB Cases, Vijayawada – Release of all benefits – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 74

Dated: 11 -05-2009..
Read the following:-

1. Govt. Memo.No.2167/Ser.VI(1)/2006-2, dated 14-02-2006.
2. Representation from Sri Ch.P.Ratnakara Rao, Superintendent (Retd.), dated 'NIL'.
3. Judgement of Special Judge for SPE & ACB Cases, Vijayawada dated 03-12-2008 in C.C.No.5/2007.
4. Govt. Memo.No.2167/Ser.VI(1)/2006-6, dated 04-12-2008.
5. Govt.Memo.No.2167/Ser.VI(1)/2006-7, dated 07-02-2009.
6. Representation from Sri Ch.P.Ratnakara Rao, Superintendent (Retd.), dated 20-03-2009.

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ORDER:

In the reference 1st read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad was requested to keep the Accused Officer Sri Ch.P.Ratnakara Rao, Office Superintendent, Office of the General Superintendent, P.W.Workshop, Seethanagaram, Guntur District under deemed suspension with effect from 04-01-2006 under Rule 8(2)(a) of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 in continuation of the instructions issued in Govt. Memo.No.2167/Ser.VI(1)/2006-1, dated 28-01-2006, as he was arrested on 04-01-2006 and released on bail on 10-01-2006 and as such he was under judicial custody for more than 48 hours.

2. In the reference 2nd read above, Sri Ch.P.Ratnakara Rao, Superintendent (Retd.) has informed that the provisional pension shall be paid from the date of retirement to the date on which, final orders are passed by the competent authority on conclusion of the departmental or judicial proceedings pending against the retired employee and requested to sanction his provisional pension not less than 75% for eking his livelihood as there is no other alternative to live along his entire family.

3. the reference 3rd read above, the Accused Officer is found not guilty for the offences punishable under Sections 7 and 13(1)(d) read with Section 13(2) of Prevention of Corruption Act and accordingly the Accused Officer is acquitted under Section 248(1) of Cr.P.C.

4. the reference 4th read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad was requested to sanction the Provisional Pension under Rule 52 of A.P.Revised Pension Rules, 1980, after ascertaining the ACB Case position/judicial proceedings against the retired employee Sri Ch.P.Ratnakara Rao, formerly Superintendent.

(P.T.O.)

5. the reference 5th read above, Government have permitted the Standing Counsel of the Bureau to file an appeal in the High Court against the orders of the Special Judge for SPE & ACB Cases, Vijayawada on acquittal judgement in C.C.No.5/2007 before 17-02-2009.

6. the reference 6th read above, Sri Ch.P.Ratnakara Rao, Superintendent (Retd.) has informed that the Special Judge for SPE & ACB Cases, Vijayawada in its order dated 03-12-2008 have issued orders duly acquitting him from the criminal charges framed against him and requested to release all his retirement benefits including gratuity, and balance salary etc.

7. After careful examination of the representation of Sri Ch.P.Ratnakara Rao, Superintendent (Retd.) and in the absence of any stay from the Hon'ble High Court on the acquittal ordered by the Lower Trial Court, Government have considered to implement Trial Court orders and it has been decided to release the arrears of salary, pension, Gratuity etc., to Sri Ch.P.Ratnakara Rao, formerly Superintendent, Office of the General Superintendent, P.W.Workshop, Seethanagaram, Guntur District now retired.

8. Therefore, under Rule 54-B (6) read with Case Law (3) (2) of Fundamental Rules, Government hereby accord sanction for release of arrears of salary, pension, gratuity and other emoluments to Sri Ch.P.Ratnakara Rao, Superintendent (Retd.), Office of the General Superintendent, P.W.Workshop, Seethanagaram, Guntur District for which he is eligible had he been continued in service, subject to review on the result of Criminal Appeal filed in Hon'ble High Court of A.P., and the final outcome of the Judgement of the Hon'ble High Court of A.P., in the event of there being any adversity.

9. The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad is, therefore, requested to take necessary action accordingly. He is also requested to adjust the Salary, Provisional Pension, Gratuity and other emoluments already paid to the individual if any.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Ch.P.Ratnaka Rao, formerly Superintendent, Office of the General Superintendent, P.W.Workshop, Seethanagaram, Guntur District through the ENC (AW), I & CAD Dept., Hyderabad.

Copy to:

The ENC (AW), I & CAD Dept., Hyderabad.
The Accountant General, A.P., Hyderabad..
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER